

REMARKS

Claims 1–18 are pending in this application, non-elected claims 6–17 having been withdrawn from consideration.

I. Rejection Under 35 U.S.C. §103(a)

The Office Action rejects claims 1–5 and 18 under 35 U.S.C. §103(a) over U.S. Patent No. 5,482,896 to Tang ("Tang") in view of WO 99/21708 to Tahon et al. ("Tahon").

Applicants respectfully traverse the rejection.

Claim 1 recites:

1. A method of manufacturing a light emitting display panel, comprising:
 - laminating at least a flexible base layer, a first electrode layer, an EL layer, a second electrode layer and a flexible sealing layer in order;
 - wherein:
 - the flexible base layer is attached to a rigid flat plate during lamination of one or more of the first electrode layer, the EL layer, the second electrode layer and the flexible sealing layer to the flexible base layer;
 - the flexible base layer is removed from the rigid flat plate prior to completion of the method; and
 - the flexible base layer comprises a laminate of a thin glass sheet and a preformed protective plastic sheet, and has sufficient flexibility to be freely rolled and/or curved.

In the January 19, 2006 Office Action, claims 1–5 and 18 were rejected under 35 U.S.C. §103(a) over Tang in view of EP 1013413 A1 to Cloots et al. ("Cloots"). Cloots and Tahon are both assigned to Agfa-Gevaert N.V., and all three inventors listed on the Tahon reference were also listed as inventors on the Cloots reference. An examination of both Cloots and Tahon reveals that the alleged teachings of Tahon relied upon by the Office Action in support of the current obviousness rejection are all found in Cloots. For example, compare Tahon, page 3, lines 3–13, with Cloots, paragraphs [0007] to [0008]; Tahon, page 3, lines 17–23, with Cloots, page 3, lines 35–38; Tahon, page 3, lines 23–27, with Cloots, page 3, lines 42–43; Tahon, page 12, line 32 to page 13, line 4, with Cloots, page 3, lines 27–32.

Furthermore, Cloots specifically references Tahon as describing "more details for preferred laminates for use in the present invention." *See* Cloots at page 3, lines 39–41.

Accordingly, Applicants respectfully submit that the arguments made of record in traverse of the rejection of the claims over the combination of Tang and Cloots are equally applicable to the rejection of the claims over the combination of Tang and Tahon. *See* Request for Reconsideration, filed June 19, 2006. However, for the convenience of the Examiner, the arguments are summarized below with respect to Tang and Tahon.

It is undisputed that Tang fails to disclose a flexible base layer comprising a laminate of a thin glass sheet and a preformed protective plastic sheet, that has sufficient flexibility to be freely rolled and/or curved. The Office Action asserts that Tahon discloses a method of manufacturing a flexible substrate for use in a flat panel display, obtained by laminating a glass layer and a plastic support foil to obtain a flexible base with excellent mechanical and physical properties. *See* Office Action, page 3. The Office Action asserts that it would have been obvious to incorporate the flexible substrate laminate disclosed by Tahon in the method of Tang. Applicants respectfully disagree.

The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *See, e.g., In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). It is improper to combine references where the references teach away from their combination. *See* MPEP §2145 (citing *In re Grasselli*, 713 F.2d 731, 743 (Fed. Cir. 1983)). Each of Tang and Tahon teaches away from the combination proposed by the Office Action.

Tang discloses a process for manufacturing an organic LED array on an ultra thin transparent substrate. *See, e.g.,* column 1, line 44 to column 2, line 23. Tang discusses the need to have the substrate be as thin as possible in order to minimize the distance between the image formed by the LED array and the photosensitive receptors of a photographic material;

this results in excellent optical coupling and obviates the need for a projection element such as a lens. *See, e.g.*, column 1, lines 34–39; column 2, lines 28–33. To obtain such results, the ultra thin substrate is formed from commercially available glass from, e.g., Schott Glass Corporation and other vendors. *See* column 3, lines 29–33. Tahon also discloses employing a thin commercially available borosilicate glass from, e.g., a Schott Group company. *See, e.g.*, page 5, lines 17–27. However, in Tahon, a support layer is permanently attached to the glass layer to form a flexible laminate. *See, e.g.*, page 3, line 17 to page 4, line 6. That is, Tahon discloses taking a glass layer, such as disclosed in Tang, and adding a support layer. Accordingly, Tahon suggests a thicker substrate than is taught by Tang.

As discussed above, the intention of Tang is to have a base substrate that is as thin as possible, because the thinner the base substrate, the greater the light collection efficiency of a photosensitive receptor coupled with the LED display. One of ordinary skill in the art would readily recognize that combining Tang with Tahon, as proposed in the Office Action, to make a thicker substrate would be directly contrary to the teachings of Tang. .

Tahon also teaches away from combining the two references as proposed in the Office Action. Tahon states, "A flexible laminate as used in the present invention can thus be provided with functional layers using a continuous web coating apparatus, thereby enabling industrial roll-to-roll manufacturing of flat panel displays which may significantly reduce the cost of the process compared to the batch methods that are used at present." *See* page 13, lines 4 to 9. Tang, by contrast, discloses a batch process for forming electroconductive layers on an ultra thin glass substrate. In view of the manner that Tahon criticizes and disparages batch processes for forming electroconductive layers on a flexible glass/support substrate laminate, one of ordinary skill in the art would not expect that the laminate of Tahon would be useful in the process of Tang.

In view of the fact that Tang teaches away from a combination with Tahon and Tahon teaches away from a combination with Tang, one of ordinary skill in the art would not have been motivated to combine Tang and Tahon as suggested by the Office Action. It is only by viewing the present specification that one would be motivated to combine the laminate of Tahon and the method of Tang. It is impermissible hindsight to rely on the disclosure of an application for motivation to combine the references cited against that application in a prior art rejection. *See, e.g.,* MPEP §2143 ("The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure") (citing *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991)).

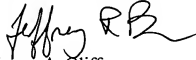
Claim 1 would not have been rendered obvious by Tang and Tahon. Claims 2–5 and 18 depend from claim 1 and, thus, also would not have been rendered obvious by Tang and Tahon. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff

Registration No. 27,075

Jeffrey R. Bousquet

Registration No. 57,771

JAO:JRB

Date: May 30, 2007

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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